

Exhibit 4

In the Matter Of:
HILLTOP CHURCH OF NAZARENE
VS
CHURCH MUTUAL INSURANCE

Anayo Onyi
May 06, 2022

Anayo Onyi
May 06, 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

HILLTOP CHURCH OF THE)	
NAZARENE,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 6:21-CV-00322-JCB
)	
CHURCH MUTUAL INSURANCE)	
COMPANY,)	
)	
Defendant.)	

ORAL VIDEOTAPED ZOOM DEPOSITION

ANAYO ONYI

May 6, 2022

ORAL VIDEOTAPED ZOOM DEPOSITION OF ANAYO ONYI,
produced as a witness at the instance of the Defendant
and duly sworn, was taken in the above-styled and
numbered cause on the 6th day of May, 2022, from
2:02 p.m. to 3:38 p.m., via Zoom, before Debra K.
Zebert, Certified Shorthand Reporter in and for the
State of Texas, reported by computerized stenotype
machine, pursuant to the Federal Rules of Civil
Procedure and the provisions stated on the record or
attached hereto.

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APPEARANCES

FOR PLAINTIFF:

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FOR DEFENDANT:

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ALSO PRESENT:

Austin Parker, Videographer

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1 THE VIDEOGRAPHER: Okay. We are on the
2 record at 2:02. Today's date is May 6, 2022. This is
3 the video deposition of Anayo Onyi, in the matter of
4 Hilltop Church of the Nazarene v. Church Mutual
5 Insurance Company, Case No. 6:21-CV-00322-JCB. Will
6 counsel state your appearances for the record.

7 MR. CIRCELLI: I'm Vinny Circelli, on
8 behalf of plaintiff.

9 MS. DEONARINE: Kiri Deonarine, on behalf
10 of Church Mutual Insurance.

11 THE VIDEOGRAPHER: Thank you very much.
12 Will the reporter please swear in the witness.

13 THE COURT REPORTER: Yes. I have a brief
14 read-on. I'm Kathy Zebert, the reporter for today's
15 deposition. Do counsel stipulate and agree that I may
16 administer the oath remotely and that the oath so given
17 is valid for all purposes of this deposition?

18 (All counsel stipulate.)

19 ANAYO ONYI,
20 having been first duly sworn, testified as follows:

21 EXAMINATION

22 BY MS. DEONARINE:

23 Q. Hi, Mr. Onyi. My name is Kiri Deonarine.

24 A. Hi, Kiri.

25 Q. I am an attorney with Zelle, LLP. Nice to meet

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1 slopes of the -- of the property. So I came down, let
2 them know that. And again, I don't recall if a claim
3 was already filed. I want to say -- I would guess,
4 Kiri, that after I discovered damage, we then filed a
5 claim afterwards.

6 And also, speaking to, you know, the delays in
7 process, et cetera, you know, with churches, usually
8 there's, you know, boards that are in place and review
9 and discussion processes, et cetera. You know, so even
10 if, you know -- let's just say I found damage and blah,
11 blah, blah. In most cases, my experience, you know, in
12 working with churches in the past, there's usually going
13 to be some time, unless you've got, you know, a tree
14 through, you know, the sanctuary, usually there's going
15 to be some time where things are discussed and, you
16 know, finances are looked and all that good stuff.
17 So --

18 Q. Okay. But you inspected the property for
19 Stonewater Roofing initially, correct?

20 A. I did.

21 Q. Did anyone else inspect the property with you
22 or before you?

23 A. On my initial inspection, no. I was solo. And
24 I don't know of anybody else inspecting it before me,
25 definitely not from my company.

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1 Q. Okay. Okay. Well, let's go through some of
2 this damage that you identify in your first inspection.

3 A. All right.

4 Q. Do you remember when that first inspection
5 occurred?

6 A. Kiri, I don't.

7 Q. Okay.

8 A. I feel like I remember it being hot, but
9 honestly, it's always hot when I get on that roof. But,
10 yeah, if I had to guess, you know, obviously, it was
11 sometime after the date of loss. I mean, I would guess
12 maybe sometime in the -- in the summer.

13 Q. Summer of 2019, correct?

14 A. Yes, ma'am.

15 Q. Okay. All right. So -- so let's discuss all
16 the damage you identified. You said --

17 A. Okay.

18 Q. -- you noticed damage to the shingles, soft
19 metal, siding, the gutters, multiple slopes?

20 A. Yes, I --

21 (Interruption.)

22 BY MS. DEONARINE:

23 Q. Okay. So I just want to go through the list
24 with you. You said you noticed damage to the shingles,
25 the soft metal, siding, gutters and multiple slopes.

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1 Anything else in that list?

2 A. I -- you know, so again, it's been so long. I
3 would imagine that they had some interior damage at that
4 time. The reason I guess that is because that's usually
5 what gives somebody an indication that they have damage
6 up on the roof. Most people don't, you know,
7 necessarily get on their roofs regularly.

8 So I would imagine that they had at least
9 noticed some sort of leaking somewhere in the building
10 at that time, and I -- I'm -- I know I took a walk
11 inside the building on my first visit. So I imagine
12 that there was also some interior damage documented at
13 that time.

14 Q. But you don't remember specifically any
15 interior damage?

16 A. I don't remember specifically where it was at,
17 but I'm confident that there was interior damage because
18 that would have been the likely purpose of them calling
19 me; more likely than noticing damage on the shingles,
20 because, again, most people don't get on their roofs
21 regularly.

22 Q. But you don't know for sure?

23 A. If I had to -- if I had to -- I'd be more sure
24 that they had interior damage than I would be unsure, if
25 that can suffice as an answer.

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1 So, yeah, there has been more damage that has occurred,
2 and I've been doing my due diligence to mitigate that
3 damage in the meantime.

4 Q. Would you describe that additional damage?

5 A. Sure. We've had some more shingles blow off.
6 We've had some additional leaks arise and -- yeah,
7 that's what's been happening.

8 Q. So when you say "additional leaks" --

9 A. Yep.

10 Q. -- where are you noticing additional leaks?

11 A. Oh, they've been throughout the building,
12 several different areas. Usually, they -- they
13 correspond with where some shingles have blown off of
14 the roof. So I mean, you can imagine -- you're not in
15 East Texas, but you're probably somewhere here in Texas.
16 So you can imagine we've had some pretty, you know,
17 severe storms over the past couple of years. So
18 whatever slope took, you know, the worst turn, usually
19 some shingles have come off, and I've been going out
20 there to patch them up.

21 Q. Okay. Could you describe the dates of these
22 additional storms?

23 A. Oh, I don't know them off the top of my head,
24 Kiri, but I would say I probably went out there about
25 January or February of this year. I know I went out

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1 last year a time or two. What specific months, I don't
2 know. When they call, I -- I answer, and I go help out.

3 Q. Okay. So do you know, was it less than five?
4 More than five?

5 A. Oh, I would say five is probably a good
6 number --

7 Q. So there --

8 A. -- of, you know --

9 Q. -- have been -- I'm sorry.

10 A. Yeah, I was going to say, I would say five is
11 probably a good number of times that I've gone out
12 specifically to address either a tarp coming up that
13 I've already applied or new shingles being blown off in
14 the interim of this claim process, et cetera.

15 Q. Okay. So would you say there were about five
16 additional storms?

17 A. Severe storms.

18 Q. There were about five additional severe storms;
19 is that correct?

20 A. Yes, since we've -- are you talking about since
21 the initial claim being filed?

22 Q. Yes.

23 A. I'd say that's a fair number.

24 Q. Okay. All right. Well, since we're talking
25 about repairs, would you please describe all the work

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I, ANAYO ONYI, have read the foregoing deposition
and hereby affix my signature that same is true and
correct, except as noted above.

ANAYO ONYI

THE STATE OF _____)
COUNTY OF _____)

Before me, _____, on this day
personally appeared ANAYO ONYI, known to me or proved to
me on the oath of _____ or through
_____ (description of identity card
or other document) to be the person whose name is
subscribed to the foregoing instrument and acknowledged
to me that he/she executed the same for the purpose and
consideration therein expressed.

Given under my hand and seal of office on this _____
day of _____, _____.

NOTARY PUBLIC IN AND FOR
THE STATE OF _____

My Commission Expires: _____

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I declare under penalty of perjury that the foregoing is true and correct.

ANAYO ONYI

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by the witness, ANAYO ONYI, on this the ____ day of _____, _____.

NOTARY PUBLIC IN AND FOR
THE STATE OF _____

My Commission Expires: _____

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REPORTER'S CERTIFICATE

ORAL VIDEOTAPED ZOOM DEPOSITION OF ANAYO ONYI

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I, the undersigned Certified Shorthand Reporter in
and for the State of Texas, certify that the facts
stated in the foregoing pages are true and correct.

I further certify that I am neither attorney or
counsel for, related to, nor employed by any parties to
the action in which this testimony is taken and,
further, that I am not a relative or employee of any
counsel employed by the parties hereto or financially
interested in the action.

SUBSCRIBED AND SWORN TO under my hand and seal of
office on this the _____ day of _____,
_____.



Debra K. Zebert, BS, RPR, CSR
RPR No. 839015
Expiration: 12/31/22

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FURTHER CERTIFICATION UNDER RULE 203 TRCP

The original deposition [] was [] was not returned
to the deposition officer on _____;

If returned, the attached Changes and Signature page
contains any changes and the reasons therefor;

If returned, the original deposition was delivered to
_____, Custodial Attorney;

That \$ _____ is the deposition officer's
charges for preparing the original deposition transcript
and any copies of exhibits;

That the deposition was delivered in accordance with
Rule 203.3 and that a copy of this certificate was served
on all parties shown herein and filed with the Clerk.

Certified to by me this _____ day of
_____, 2020.

Court Reporter
CSR#:
Expiration Date:
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